

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

TIMOTHY JOHNSON, :
Plaintiff, :
vs. : 1:05-CV-105 (WLS)
LARA EFAW, M.D., ET. AL., :
Defendants. :

ORDER

Before the Court is Defendants Kendrick's motions for an extension of time in which to respond to Plaintiff's motion for summary judgment. (Doc. 154). Plaintiff filed his motion for summary judgment on May 31, 2006. (Doc.147). The parties had filed a joint motion to stay discovery on May 12, 2006, pending the resolution of Defendant's motion to dismiss. (Doc. 142). The Court entered an order staying discovery on June 12, 2006. (Doc. 150). The Court observes that very little formal discovery has taken place.

Given the fact that the Court has entered a motion staying discovery, little discovery has taken place, Defendant has pending a motion to dismiss and Plaintiff has filed numerous motions, Plaintiff's motion for summary judgment is **DENIED without prejudice**. (Doc. 147). Accordingly, Defendant's motion for an extension of time (Doc. 154) is **DENIED as moot**.

SO ORDERED, this 10th day of July, 2006.

/s/W. Louis Sands
W. LOUIS SANDS, CHIEF JUDGE
UNITED STATES DISTRICT COURT